

President's executive orders on amnesty far transcend the issue of illegal immigration. The President's action strikes at the very heart of our separation of powers. The Constitution reserves to Congress alone the power to enact and alter law, and it charges the President with the responsibility to faithfully execute those laws.

If the President can seize legislative power in this manner and then boast to an audience that he, himself, has changed the law, then the separation of powers becomes meaningless, and our constitutional Republic will have crossed a very bright line that separates a nation of laws from the unhappy societies where rulers boast that the "law is in their mouths."

If this precedent stands, every succeeding President, Republican and Democrat, will cite it as authority to make or alter law by decree. This cannot be allowed to happen.

The question occurs: What can the House do?

Well, it took its first step last week by passing H.R. 5759 that declares the President's action unconstitutional and null and void. This was a symbolic act since the bill is subject to Presidential veto, but it was a warning that the President should have heeded. Obviously, he has not.

What else can the Congress do?

One of the fundamental checks held by Congress is the power of appropriation. It can close the purse by forbidding the use of Federal funds to proceed with this unconstitutional act.

I realize that is a very difficult thing to do with a dysfunctional Senate, but a temporary funding measure into January or February would protect us against the prospect of a government shutdown while we try to engage the Senate to rise in defense of the Constitution. And if the Democratic Senate will not defend our Constitution, and I am afraid that is a strong possibility, a few weeks from now the Republican Senate certainly will.

Why in the world would we want to lock in Federal spending through next September that reflects the priorities of the Democratic Senate that voters just thoroughly repudiated last month? Why in the world would we want to so greatly weaken our position to insist on the complete defunding of the President's unconstitutional act in the next congressional session just 3 weeks hence?

Meanwhile, it is imperative that the House take every action available to engage the Supreme Court to resolve this constitutional crisis. Several States have already filed suit, and the House needs to join them. In addition, the House needs to vote as an institution to challenge this act directly. This is too important to be treated as an afterthought on current litigation over *ObamaCare*. It needs to be voted on separately, unequivocally, and now.

Since the earliest days of our Republic, the Supreme Court has invalidated legislative acts that conflicted with

the Constitution. Now it must be called upon to invalidate an executive act that strikes at the very core of our Constitution. Regardless of the ideologies of individual Justices, I cannot believe that any of them would sit idly by as the Executive seizes such fundamental powers from the legislative branch.

On behalf of the House, the Speaker announced last month that we would fight this act tooth and nail. To adjourn tomorrow, having taken only a symbolic vote, while abandoning our actual powers to challenge this act undermines the credibility of the House majority.

Elements on the extreme left argue that this act was justified due to congressional inaction over immigration reform. They fault the House for not adopting a Senate immigration measure, but they forget the House passed a strong immigration bill this summer and the Senate refused to consider it.

Since when has congressional disagreement over legislation been license for the President to legislate himself? This argument abandons the Constitution and the rule of law for the expediency of one-man rule. We should recognize such arguments for what they are: the authoritarianism of the extreme left. We should reject these arguments and those who make them.

Mr. Speaker, the Roman Republic died when Julius Caesar seized the legislative authority of the Roman Senate. Repeated acts of usurpation went unchallenged until the constitutional structure of the Republic simply disintegrated.

Let that not be the epitaph of the American Republic. Of this crisis, let history record that men and women of good will on both sides of the aisle joined together to defend the Constitution that they swore to uphold, and that this generation passed that Constitution and all of the freedoms it has preserved, intact and inviolate, to the many generations of Americans who followed.

TRIBUTE TO CONGRESSWOMAN MARCIA FUDGE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I stand here this morning as a proud American and proud of this Republic which elected the first African American President 6 years ago, and reelected him 2 years ago by an overwhelming vote.

I rise today to celebrate my outstanding colleague and dear friend, Representative MARCIA FUDGE, on the completion of her term as the 23rd chair of the Congressional Black Caucus.

I have had the honor and privilege of working along with Representative FUDGE on the Science, Space, and Technology Committee when she first

was elected to the House of Representatives in 2008. Since that time, I have watched her thrive as a fearless leader on Capitol Hill, not only for her constituents of Ohio's 11th District, but for African Americans and other underrepresented citizens all over the country and internationally. As chair of the Congressional Black Caucus, Representative FUDGE is only the seventh woman to serve in this capacity, and she has been groundbreaking in her fight to tackle difficult issues facing underrepresented communities of color during her 2-year term as chair.

Mr. Speaker, under Representative FUDGE's leadership, the Congressional Black Caucus has continued to be the conscience of Congress, working tirelessly to steer good policy to the forefront. Over these past 2 years, Representative FUDGE, in her role as chair, has faithfully represented the underrepresented voices as they pertain to job creation, education, health care, national security, and a host of other pressing issues. Her intricate policy knowledge, political savvy, and ability to build coalitions have been of tremendous value to the Congressional Black Caucus and to the Nation.

I can speak on behalf of all of my colleagues—and you have just witnessed them here present in the Chamber—in saying that we will sorely miss her leadership, and we thank her for her service as chair. I am confident that Ms. FUDGE will continue to serve selflessly and devote her time and talents to the CBC and its goals, and I look forward to continuing our important work together because it is far from being over.

RELATIONSHIP BETWEEN POLICE DEPARTMENTS AND COMMUNITIES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. FUDGE) for 5 minutes.

Ms. FUDGE. Mr. Speaker, let me just thank my colleagues. Certainly, it has been a high honor to serve as chair of the Congressional Black Caucus, and I will express that later on today at our meeting.

Mr. Speaker, I rise today to address the recent tragedies that have occurred in my hometown of Cleveland, Ohio, but also the positive change that can come out of these tragedies.

In November 2012, Malissa Williams and Timothy Russell lost their lives following a high-speed chase involving more than 60 police vehicles. Cleveland police officers fired 137 rounds into their vehicle. The pair were unarmed.

I immediately wrote to the Department of Justice seeking an independent review and investigation surrounding the circumstances that led to this use of deadly force by law enforcement.

Following the death of Michael Brown and the unrest that followed, I again wrote to the Department of Justice in August 2014 asking for action. While waiting on the results of the Department of Justice investigation,